REMARKS

Upon entry of this amendment, claims 3, 4 and 12 are all the claims pending in the application. Claims 1, 5-11 and 13-17 has been canceled by this Amendment.

As a preliminary matter, Applicant would like to thank the Examiner for participating in the personal interview conducted by Applicant's representative on April 22, 2003.

I. Drawings

The Examiner objects to the drawings for the reasons set forth on page 2 of the Office Action. Applicant is submitting herewith a proposed drawing correction which addresses the Examiner's objection. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection.

II. Claim Rejections under 35 U.S.C. § 112

Claims 1, 3 and 4 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant submits that independent claim 4, as amended, overcomes this rejection. Specifically, the phrase "such as" has been replaced by the phrase "comprising at least one of." Accordingly, Applicant respectfully requests that the rejection be reconsidered and withdrawn.

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III. Claim Rejections under 35 U.S.C. § 102(b)

A. Claims 1, 3, 11, 12 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Soumiya et al. (U.S. Patent No. 5,696,764).

Claims 1, 11, and 17 have been canceled by this amendment and, therefore, the rejection is moot. Claims 3 and 12 have been amended to depend from independent claim 4 and should be allowable at least by virtue of their dependency.

B. Claims 5-10 and 13-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shon (U.S. Patent No. 5,499,238). Claims 5-10 and 13-16 have been canceled by this amendment and, therefore, the rejection is moot.

IV. Allowable Subject Matter

Applicant would like to thank the Examiner for indicating that claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant submits that claim 4 has been rewritten in independent form and, therefore, is in immediate condition for allowance.

Claims 3 and 12 depend from claim 4 and therefore incorporate all of the limitations thereof. Accordingly, Applicant submits that claims 3 and 12 are patentable at least by virtue of their dependency.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Date: May 27, 2003

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

    Claims 1, 5-11, and 13-17 are canceled.

    The claims are amended as follows:

3. (Twice Amended) A multi-service-class definition type switch according to claim [1] 4, wherein the data processing device performs processing regarding reception, transmission and analysis on data regarding a service class, a buffer number and a request type, so that reading and setting of the data can be made with respect to a prescribed buffer selected from the buffer section in response to a result of the processing.

4. (Twice Amended) A multi-service-class definition type switch [according to claim 1] comprising:

a buffer device which comprises a buffer section having a plurality of buffers and a cell reading section for reading data from the buffer section;

a data input/output device which comprises a data input section for inputting data from an external source, a data output section for outputting the data, and a first data transceiver section for performing reception and transmission with respect to the data;

a data processing device which comprises a second data transceiver for performing

reception and transmission of data in connection with the first data transceiver section, a data

analysis section for analyzing the data received from the second data transceiver section, and a

data reading/setting section;

wherein the data input/output device is capable of inputting and outputting data regarding

a service class of a buffer, comprising at least one of a service category and a QOS class, and

wherein the data processing device is capable of adding and storing new data regarding at

least one of a new service category and a new QOS class.

12. (Once Amended) A multi-service-class definition switch according to claim [1] 4,

wherein the switch is an ATM switch.